

90 rec'd PCT/PTO 23 MAY 2002
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
10/030106

IN RE APPLICATION OF: MARTIN MERCK

SERIAL 10/030,106
No.:

GROUP ART UNIT: Not Assigned

INTERNATIONAL APPLN. NO.:
PCT/EP00/06833

FILED: January 18, 2002

EXAMINER: Not Assigned

FOR: STACK OF OPERANDS AND METHOD FOR
STACKING OF OPERANDS

ATTY. REFERENCE: MERC3001/JEK/JJC

THE COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

The below identified communication(s) or document(s) is(are) submitted in response to the **NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)** mailed March 12, 2002 in the above application or proceeding:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Declaration | <input checked="" type="checkbox"/> Preliminary Amendment with Appendix of New Claims |
| <input checked="" type="checkbox"/> Petition For Extension Of Time | |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input checked="" type="checkbox"/> Check in the Amount of <u>\$240.00</u> (\$130 surcharge fee; and \$110 Extension of Time fee) |
| | <input checked="" type="checkbox"/> Copy of Notification of Missing Requirements |
| | <input type="checkbox"/> |

☒ Please debit or credit **Deposit Account Number 02-0200** for any deficiency or surplus in connection with this communication. A duplicate copy of this sheet is provided for use by the Deposit Account Branch.

☐ Small Entity Status is claimed.

☐



23364

PATENT TRADEMARK OFFICE

BACON & THOMAS, PLLC
625 SLATERS LANE - FOURTH FLOOR
ALEXANDRIA, VIRGINIA 22314
(703) 683-0500

DATE: May 22, 2002

Respectfully submitted,

J. ERNEST KENNEY
Attorney for Applicant
Registration Number: 19179



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

| | | |
|---|---------------------------------------|----------------------------------|
| U.S. APPLICATION NUMBER NO. 10/030,106 | FIRST NAMED APPLICANT Martin Merck | ATTY. DOCKET NO. MERC3001/JEK |
|---|---------------------------------------|----------------------------------|

MERC 3001

 23364
 BACON & THOMAS, PLLC
 625 SLATERS LANE
 FOURTH FLOOR
 ALEXANDRIA, VA 22314

 Date 3-19-02 Atty JEK
 Action Due NTFM Regs
 Deadline 5-12-02
 Final Deadline 10-12-02

| | |
|---|-----------------------------|
| INTERNATIONAL APPLICATION NO. PCT/EP00/06833 | |
| LA. FILING DATE 07/17/2000 | PRIORITY DATE 07/19/1999 |

 CONFIRMATION NO. 8205
 371 FORMALITIES LETTER

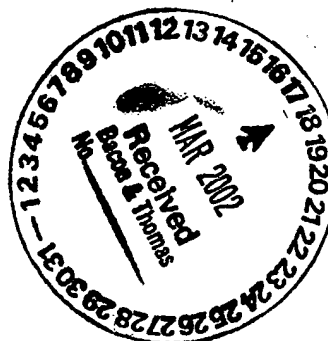

OC000000007612600

Date Mailed: 03/12/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement



- Preliminary Amendments have not been entered because Page 2a of the annexes of the International Preliminary Amendment could not have been entered into the application because it was not a page for page translation..

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

COPY

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of \$280 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$410 for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$280
 - \$280 for multiple dependant claims surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/030,106 | PCT/EP00/06833 | MERC3001/JEK |

FORM PCT/DO/EO/905 (371 Formalities Notice)

00/00/2002 MALI11 00000091 10030106

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00/00/2002 MALI11 00000092 020200 10030106

00 70:154 280.00 CH